

Notice of Allowability

Application No.

10/601,593

Examiner

Alain L. Bashore

Applicant(s)

NAOE, KOJI

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4-13-07.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

ALAIN L. BASHORE
PRIMARY EXAMINER

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3-14-07 has been entered.

Response to Arguments

2. Applicant's arguments, see page 5, filed 3-14-07, with respect to the 35 USC 103 rejection of record have been fully considered and are persuasive. The previous rejection has been withdrawn.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Takagi on 7-23-07.

The application has been amended as follows:

In claim 1 and claim 6:

line 8: after "material" insert –to achieve the binder uniformly absorbed on the surface of the substrate"

line 9: after "material" insert –whereby a lower noise and higher density coating is achieved by reducing secondary coagulation as compared to initial contact of binder and ferromagnetic material powder in a mixer".

Allowable Subject Matter

4. Claims 1-8 are allowed. The drawings filed 6-24-03 are acceptable.

Reasons for Allowance

5. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 1 and 6. Both claims recite a method for producing a magnetic recording medium having a nonmagnetic substrate coated with a magnetic coating material containing a ferromagnetic powder and a binder.

Sueyoshi et al is considered the closest prior art. Sueyoshi et al discloses a method for producing a magnetic recording medium having a nonmagnetic substrate coated with a magnetic coating material containing a ferromagnetic powder and a binder. A ferromagnetic powder and solvent is disclosed as initially separate from a binder

Sueyoshi et al does not disclose the claimed combination including:

In claim 1:

preparing a liquid A constituted by a ferromagnetic powder and a solvent;

preparing a solution B of a binder;

mixing the liquid A and the solution B together in a liquid-liquid state by applying an ultrasonic wave thereto, and thereafter subjecting the mixture to dispersion processing to obtain a magnetic coating material to achieve the binder uniformly absorbed on a surface of a substrate; and

coating a nonmagnetic substrate with the magnetic coating material whereby a lower noise and higher density coating is achieved by reducing secondary coagulation as compared to initial contact of binder and ferromagnetic material powder in a mixer.

In claim 6:

preparing a liquid A constituted by a ferromagnetic powder and a solvent;

preparing a solution B of a binder;

subjecting the liquid A to dispersion processing by applying an ultrasonic wave thereto, and thereafter mixing the liquid A and the solution B together in a liquid-liquid state to obtain a magnetic coating material to achieve the binder uniformly absorbed on the surface of the substrate; and

coating a non-magnetic substrate with the magnetic coating material whereby a

lower noise and higher density coating is achieved by reducing secondary coagulation as compared to initial contact of binder and ferromagnetic material powder in a mixer.

For these reasons claims 1 and 6 are deemed to be allowable over the prior art of record, and claims 2-6, 7-8 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alain L. Bashore/
Primary Examiner
Art Unit 1762